

The Regular meeting of the Finance/Executive Committee of the Atlanta City Council was held Wednesday, January 27, 2009, at 2:00 p.m. in Committee Room #2, City Hall South, 2nd Floor.

Present:	Councilmember Adrean, Chair	Roosevelt Council, Acting CFO
	Councilmember Felicia A. Moore	Departmental Staff
	Councilmember C.T. Martin	
	Councilmember Howard Shook	
	Councilmember Aaron Watson	
	Councilmember Alex Wan	
	Councilmember H. Lamar Willis	

Chairperson Adrean called the meeting to order at 2:10 p.m. after declaring a quorum present. The Committee members present were introduced as follows: Councilmembers Felicia A. Moore, C.T. Martin, Howard Shook, Aaron Watson, Alex Wan and H. Lamar Willis. Other Departmental staff was present as well.

The Agenda was adopted as printed with one new First Read Ordinance and one new Resolution. The minutes of the Finance/Executive Committee December 2, 2009 were adopted as well.

DISCUSSION ITEMS

LEGISLATIVE UPDATE

Ms. Megan Middleton, Intergovernmental Affairs Manager

Chairperson Adrean stated that Ms. Middleton was not available at this time go give a report.

2009 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) AND PERFORMANCE AUDIT REPORT FOR INDIRECT COST ALLOCATION

Mr. Roosevelt Council, Acting CFO / Leslie Ward, City Auditor

Mr. Greg Ellison: Auditor of Banks, Finley and White addressed the Committee by stating that he has a handout. He introduced the members of the team. There are four different audits (the City, Department of Aviation, Department of Watershed Management and the three Pension Funds). Page #3 is the overview of the CAFR. It is 174 pages and very manageable in reading. There is a Letter of Transmittal from the Mayor. The analysis is prepared by the CFO's Office regarding reporting analysis. After the MBA, there is also the basis of the statements attached. There is a supplemental basis for the funding requirements. Next is the historical basis of the audit. The documents represent the management of the City. The major funds are defined by the accounting principles. They include the ADA and Atlanta Recreational Authority. They are audited by other CPA firms. Our opinions are unqualified opinions. Page #5, under table #1 is the summary of the net assets of June 30, 2009 of \$14.1 billion dollars, which \$1 billion dollars is for capital assets. \$6.4 billion dollars represent the total assets. Of it, \$4.9 billion is the investment in capital assets restricted by Law. There is one half for restricted assets at the end of the year. Table #6 is the result of operations. It shows an increase of \$60 million dollars, \$403 million dollars is from the business type activities from the Airport. There was a decrease of \$47 million dollars. The next slide on page #7 is trend information for the last three years. It is consistent with capital assets. There is an increase because of the Public Safety Building and the Radio System. There was an issue of Bonds for the Beltline along with the long term liabilities. There was also a \$60 million dollar TAN. Slide #9 is a graphic picture of the sources. Government activities expenses show a decrease in Departmental expenses. The main issue is the Beltline liabilities of \$40 million dollars. Next are the financial expenses for business activities, which includes \$14 billion dollars of capital assets. The long term increase is \$750 million dollars from Watershed's outstanding debt. Next

is the change in revenue and charge for services. Revenues for the Airport are flat and the Watershed rate had increases. This includes charges for services, for landing fees, the International Terminal, parking and rental cars, etc. Slide #13 is the business type activities. Of the 65%, there is charges for services from the Departments of Aviation and Watershed Management. There is a decline in expenses in the Watershed area. There was a write of projects for \$14 million dollars in the Department of Aviation. Next slide is activity changes for the major funds and non-major funds. The change reflects revenue that was under expenses. The fund balance is the accumulative liabilities. Last slide shows that there were some funds that have deficits, such as the E-911 of \$31 million dollars, Underground of \$15 million dollars, and the Solid Waste Fund of \$55 million dollars for a total of \$44 million dollars. There was \$23 million dollars of transfers from the General Fund. He then asked if there are any questions. Chairperson Adrean stated that on February 11th at 1:00 p.m. we will have a Work Session to go over the CAFR and the Audit. Mr. Ellison responded that he would be available in the morning, not the afternoon. Councilmember Moore asked for the actual document. Acting CFO Council responded it will be available this afternoon. Mr. Ellison added that there are page references in the handout. Councilmember Moore asked if there is further explanation for the deficits. Mr. Ellison responded that these funds go back several years. Councilmember Moore asked about the Sanitation Fund. We were told that they were paying back the General Fund. Acting CFO Council responded that they did not pay enough back. Mr. Ellison added that they did not break even due to the landfill closings. Councilmember Shook asked what is the status of the Management Letter? Mr. Ellison responded that by mid February it should be submitted to management, and by the end of February it should be issued to Council.

MONTHLY FINANCIALS AND CASH FLOW ANALYSIS REPORT

Mr. Roosevelt Council, Acting CFO

Ms. Carol King: Chief of Budget and Fiscal Policy addressed the Committee by stating that these are the results through December. We expect to collect \$350 million dollars in revenues and collected \$335 million dollars for a \$15 million dollars difference. The actuals are under projections by 5%. Chairperson Adrean asked if our property taxes are listed as the same. Acting CFO Council responded that we had to make some adjustments because property taxes were sent out very late. We used the five year historical data to determine the numbers. Instead of sending them out by July 1st, they were sent out on October 15th. We had to adjust our numbers because of the variance. The amount of \$189 million dollars shows about 89% collection. We normally collect about \$192 million dollars. The collection rate we have is 99%. Councilmember Martin asked about the public utilities expenses.

Mr. Gary Donaldson: Director of Revenue addressed the Committee by stating that the finding has been adjusted. Public utilities are coming in on target. We expect to get them in February. Councilmember Martin asked if they are paid up or behind. Mr. Donaldson responded that we will meet those Anticipations. We will meet the forecast of \$541 million dollars as well. Councilmember Martin asked if he remembered when it was behind. Mr. Donaldson responded that Georgia Power's check is expected in February and we should be on target. Councilmember Willis asked what are we doing to address the different variances of meeting projections? Ms. King responded that we hold monthly meetings with the Departments and they have to explain the variances. Most are within their budget. We discuss putting plans in place to meet their budget. Councilmember Willis asked about fines and forfeits. What is the response? Acting CFO Council responded that we don't work with the Departments on revenue. Fines and Forfeits have a trend each month. The numbers of citations are up due to the new Court system. We are addressing that. Councilmember Willis asked when the decision was made to cut, what was the policy making? Writing more tickets does not help if a collection agency has to collect them. Who is making the policy decisions? Acting CFO Council responded that at the last half of last fiscal year, our revenues were going to be less than our expenses. To resolve the gap, there had to be measures taken to reduce expenses. For example, with the Department of Parks, Recreation and Cultural Affairs,

Recreational Centers closed. The decision was with the Department of Parks. It was a balancing act. We try to make sure that the decisions that are made don't affect the citizens. When you deal with a deficit, there is a whole new pattern of thinking. These were decisions that were made with the Departments. There were a lot of administrative holds. Councilmember Willis stated that we had this conversation in the Public Safety/Legal Administration Committee about the Courts. Who is advising from a policy standpoint? When decisions are made we have to understand the ramifications. There are policy implications that have financial implications. Who do we look to when it is not working? Is there somebody in the Mayor's Office or the Department of Finance who is engaged daily with the process. Acting CFO Council responded that we had a session with Mr. Raines Carter about the cuts. We have added two positions to his Office this year. We discussed it with the new Administration as well. At a single point, he does not know if there is a single person who made the decision. Councilmember Willis stated that he disagrees. Mr. Carter has always been clear that he does not have the staff. Mr. Carter is an Administrator and an Attorney so he is not the person. It has to be a policy/financial person who was advising. He does not have the ability to hire people. Chairperson Adrean asked the COO to share his thoughts.

Mr. Peter Aman: addressed the Committee by stating that the Office of the Mayor and the COO is responsible for this. We have been having that discussion. The person to blame would be him. Councilmember Willis stated that when we changed the Courts, one of the things to look at was Jury Trails. There is \$10 of millions of dollars at the Court. Most DUI cases are bound over to Fulton County. We should have continued to have Jury Trails. That has become a practice that is costing the City money. Mr. Aman responded that it is a creature of the State Legislature. Councilmember Willis stated that we only saw the cost saving of getting rid of Jury Trails. Once a citizen sees a lawyer and they bind it over, they are more reluctant to keep committing the crimes. Acting CFO Council responded that the variances are as of December. There is a chance to close the variance. Councilmember Martin stated that it is hard to do that because policy decisions were made by people who do not know how to operate the Court systems. He then asked about the lease of the jail and closing out the relationship with the Marshalls. It says that usage is down. The Chief was not communicating with the Marshalls. We are losing money because they had other agendas. How do you turn that around within five months? He then asked about the Cash Pool. Can we have clarity on how it operates on percentages? All of the cash goes into a pot and held for investments and a co-mingling concept. Some of the money is not supposed to be touched. Where would it be? How much would you use for January expenses? Acting CFO Council responded that the cash receipts goes directly into the Cash Pool. We have determined the equity in the Cash Pool. Councilmember Martin asked what portion is owned? Acting CFO Council responded that we can determine the ins and outs and what it is related to. The majority of the expenses are deemed as cash payments. All that you see is in the form of cash. Chairperson Adrean asked if the General Fund is in a positive position. Are we making payments to the Department of Watershed Management? Acting CFO Council responded, yes. Councilmember Moore asked for clarification on how we are being in a positive position. The CAFR stated that we have deficits. The General Fund is subsidizing the other funds. We do not have a payment schedule to fund them. We have not figured out how to pay the others. We have not dealt with all of the bills. Councilmember Watson asked about deficits in the General Fund. Acting CFO Council responded that the revenues are exceeding our expenses.

TO SUBMIT THE PERFORMANCE AUDIT FOR CITY HALL EAST SALE

10-C-0148 (1) A Communication from City Auditor Leslie Ward submitting the Performance Audit for City Hall East Sale and Public Safety Facilities Construction Report.

HELD

Ms. Leslie Ward: addressed the Committee by stating that in late December we issued a report for the sale of City Hall East and the Public Safety Facility. We were asked to do this audit by the former CFO. We were responding to a number of concerns. We had three questions to answer. The scope and financing and how much was spent and what controls were in place and what to do going forward. We found the scope of services did evolve. At the beginning the City was going to build one Facility. We ended up with three. The project envisioned was to be funded by the sale of City Hall East for the cost of \$30 million dollars to \$31 million dollars and we were to issue Debt Bonds. The Authority issued the Bonds and developed an Intergovernmental Agreement with the City. The project was about \$80 million dollars, but the total cost came to about \$103 to \$105 million dollars. We have also taken on additional Debt and Governmental funds. The City Hall East sale would not cover the costs. Councilmember Martin asked where is the \$11 million dollars of Capital Finance Funds that had a deficit that was paid out of the General Fund. Acting CFO Council responded that it is located under the Capital Fund in the last column. Ms. Ward responded that there was no money in the Capital Finance Fund. There were other expenses covered out of that Fund. Councilmember Martin stated that the building is sitting there empty. He then asked if anyone has been assigned to deal with this. Mr. Aman responded that we are in the process of doing it because Mr. Edwards last day is February 3rd. Ms. Ward responded that we were able to confirm that over 30 years we would end up paying \$138 million dollars in principle. Councilmember Moore asked if he and Mr. Edwards would be present for the Work Session on February 3rd. Mr. Aman responded that he would be available to answer questions. Councilmember Martin asked if the \$10 million dollars the right number.

Ms. Claire Coleman: Senior Assistant City Attorney addressed the Committee by stating that she is not sure if it is \$10 million dollars or not. It was a security deposit and City Hall East was released from that. It was the security for the Bonds. The Bond financing entered into a non existence security. There are two Bond financing. We make payments on our COPS Bonds. The COPS vary from \$3 million dollars to \$6 million dollars annually. She does not have the figures. Acting CFO Council responded that he would provide the information. Councilmember Moore asked for the Authority members names. Senior Assistant City Attorney Coleman responded that she would provide the information. Councilmember Moore asked what is their role? Chairperson Adrean stated that we would have a Work Session with the Public Safety Committee on February 3rd at 1:00 p.m. She then asked to Hold the report until the Work Session.

TO APPOINT MS. SHERRI THOMPSON DICKERSON AS COMMISSIONER OF THE DEPARTMENT OF HUMAN RESOURCES

10-C-0210 (2) A Communication by Mayor Kasim Reed to President Ceasar Mitchell and the Atlanta City Council appointing Ms. Sherri Thompson Dickerson as Commissioner of the Department of Human Resources, for the City of Atlanta.

FAVORABLE

Ms. Sherry Dickerson: Acting Commissioner of the Department of Human Resources addressed the Committee by stating that she has been an employee for fourteen years. She has been with the Department of Human Resources since 2000. Councilmember Moore asked what are some of your goals and objectives? Acting Commissioner Dickerson responded that she wants to see a Pay and Class Study done. The last one was in 1995. We have not done one study for all employees. She would like to see the return of the Performance Payment Program based on merit. Councilmember Moore asked what are you planning to do to get it done. Acting Commissioner Dickerson responded that the biggest struggle is funding. Councilmember Moore stated that she agrees to have a Study done. Does every employee have an annual performance? Acting Commissioner Dickerson responded that over 90% of employees have the evaluations done. We have worked diligently to have that done. There are temporary employees and employees that work less than six months. Councilmember Moore

asked if the 10% is across the board. Acting Commissioner Dickerson responded that she can provide the information. It has been over the last couple of years. In lieu of the step increases, we have discussed variable pay structures. Part of the hold back is that there are managers that are not evaluating their employees fairly. Councilmember Moore asked how do we accomplish getting everyone on board. Acting Commissioner Dickerson responded that it is a cultural environment. There has been a shift regarding the proper distribution of rating. Councilmember Moore asked to see the Citywide list of who is doing evaluations. She thinks that a lot of these things are comprehensive. She wants to see accountability before flexibility. We need to have a balance. A lot of initiatives seem to be on the upper level. She wants to see the lower level employees appreciated. Councilmember Martin stated that our employees are at the lowest morale when they hear about raises for the Police Department and not them. Some of them are in physically bad condition. The facilities are not in good shape. Who keeps up with the health of the employees? Who monitors the supervisors? Do you analyze the Civil Service Hearings? Is that inside of the Department? If the employees are happy, they perform better. Acting Commissioner Dickerson responded that each Department has their responsibility to look at morale and physical conditions. It is also under the Department of Human Resources. We have EAP and a Wellness Benefit Program that provide services. There have been reductions and cuts. The Civil Service Board comes under the Department of Human Resources. We do monitor how the cases come out of the Civil Service. Councilmember Martin stated that he picked up a pamphlet regarding Human Resources. He has witnessed your efficiency and sharpness. He is aware of your qualifications. If there is a Department abusing employees, how do you have a conversation with them? He is asking her to go visit the Departments where employees are paid the least amount of money and have the most pain. The new budget is going up on insurance again without raises. We should treat the employees fairly. How are we paying people now? Acting Commissioner Dickerson responded that we have a bi-weekly payroll, but just one pay date. The paychecks are accurate. She has had the conversation with Mr. Aman regarding the morale of the employees. Councilmember Willis stated that he and Acting Commissioner Dickerson has not always agreed on policy, but she has been willing to have the conversation. It shows the difference to the Legislative Body. If you do a Pay and Class, do it for everyone including Council and do it across the board compared to other Cities. He then asked about drug screenings. Acting Commissioner Dickerson responded that we cannot do random drug screenings. Councilmember Willis stated that he has concerns with the Pay for Performance Program. He then offered a motion to **Approve, 6 Yeas, 1 Abstention.**

CONSENT AGENDA

TO ENTER INTO AN IN-BUILDING RADIO DISTRIBUTION AGREE-MENT

- 10-O-0167 (1) An Ordinance by Finance/Executive Committee to authorize the Mayor or his Designee to enter into an In-Building Radio Distribution Agreement to allow better radio systems performance for Atlanta Police Department ("APD") personnel at the 3493 Donald Lee Hollowell Parkway Annex for APD at no expense to the City of Atlanta.

FAVORABLE ON FIRST READ

REGULAR

TO AMEND THE 2010 (WATER AND SEWER RENEWAL AND EXTENSION FUND) BUDGET

- 10-O-0126 (1) A **Substitute** Ordinance by Finance/Executive Committee amending the 2010 (Water and Sewer Renewal and Extension Fund) Budget by adding to Anticipations and Appropriations in

an amount of fifty thousand dollars and no cents (\$50,000.00) for a "Pass Through" Grant Award from the Georgia Environmental Protection Division for the construction of a Greengrid Roof System at the Woodruff Arts Center; and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA, 1/27/10)**

FAVORABLE ON SUBSTITUTE

Mr. Larry Stokes: Research and Policy Analyst addressed the Committee by stating that we have a Substitute.

TO AMEND THE FY 2010 (2004 WATER AND WASTEWATER BOND FUND – 5058) BUDGET

10-O-0127 (2) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Chief Financial Officer to amend the FY 2010 (2004 Water and Wastewater Bond Fund – 5058) Budget in the amount of twenty three million dollars and no cents (\$23,000,000.00) to transfer Funds from the Capital Projects Reserve (5058) for Appropriations and to add to Appropriation Funds for repairs to the RM Clayton WTP due to 2009 Flood Related Damage; and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA, 1/27/10)**

FAVORABLE ON SUBSTITUTE

Mr. Stokes stated that there is a Substitute.

Ms. Sheila Pierce: Deputy Commissioner of the Department of Watershed Management addressed the Committee by stating that this is for the R.M. Clayton facility. Councilmember Shook offered a motion to **Approve on Substitute, 7 Yeas.**

Mr. George Barnes: of the Department of Watershed Management addressed the Committee by stating that there was extensive flooding done to the R.M. Clayton facility. There was \$20 million dollars moved for repairs. This paper will put in \$23 million dollars and \$10 million dollars is from insurance. We expect reimbursements from FEMA for 85%. There is much work to be done. Councilmember Martin asked if there are any EBO requirements for this. The work is being done by Emergency Authorization. Mr. Barnes responded that the people bidding on it have to follow the EBO requirement. The Substitute corrects the FDOA. Councilmember Martin asked if you are using the AB bidders. Mr. Barnes responded that all of the work is being done by contractors. It is all one pot of money for a total of \$53 million dollars. The people are qualified. We are not doing pre-qualifications.

TO AUTHORIZE THE MAYOR TO EXECUTE A CORRECTION DEED

10-O-0128 (3) A **Substitute** Ordinance by Finance/Executive Committee authorizing the Mayor to execute a Correction Deed to cure an incorrect legal description on a Deed authorized by Ordinance 94-O-1280, executed on November 3, 1994 and recorded on November 7, 1994 approving the transfer of the Finch Elementary School property to the Atlanta Board of Education; and for other purposes. **(Finance/Executive Committee Substitute..., 1/27/10)**

FAVORABLE ON SUBSTITUTE

Mr. Stokes stated that we have a Substitute.

Mr. Martin Clark: Senior Assistant City Attorney addressed the Committee by stating that the City acquired the property back in the 1960's. The ABOE wanted the deed transferred to them for a Neighborhood Association. Only 8 of the 13 properties were transferred. Councilmember Martin offered a motion to **Approve on Substitute, 7 Yeas.**

TO AUTHORIZE THE TERMINATION OF THAT CERTAIN INTEREST RATE EXCHANGE AGREEMENT

10-O-0129 (4) A **Substitute** Ordinance by Finance/Executive Committee to authorize the termination of that certain Interest Rate Exchange Agreement related to the City's Outstanding Water and Wastewater Revenue Bonds, Series 1994A, and the payment of a Swap Termination Fee in connection with the termination of said Interest Rate Exchange Agreement; all payments shall be charged to and paid from Watershed Renewal and Extension Fund; authorizing the execution a confirmation of Swap Termination Delineating the Terms associated with the payment of said Swap Termination Fee in connection with the Termination of said Interest Rate Exchange Agreement; granting the Mayor the authority to approve and execute any and all other documents and certificates with respect to the Termination of said Interest Rate Exchange Agreement; authorizing certain Officials and Employees of the City to take all actions required in connection with the Termination of said Interest Rate Exchange Agreement; providing certain other details with respect thereto; providing an effective date; and for other purposes. **(Finance/Executive Committee Substitute..., 1/27/10)**

FAVORABLE ON SUBSTITUTE

Mr. Stokes stated that we have a Substitute.

Ms. Carmen Pigler: Chief of Debt and Investment addressed the Committee by stating that the amount is not to exceed \$25 million dollars. Councilmember Moore asked why the rating dropped. Ms. Pigler responded that it is based on the level of debt outstanding and the revenues to support the debt. Councilmember Moore stated that is a bigger concern. Ms. Pigler responded that there are different break levels. It is less than any equivalent with the same amount of debt outstanding. It went from a single A to a BBB. Councilmember Moore asked if it is more costly for us. Ms. Pigler responded that for a long time the SWAP was cash flow positive. It is not to their advantage. Chairperson Adrean offered a motion to **Approve on Substitute, 7 Yeas.**

TO AUTHORIZE THE PURCHASE OF PERMANENT AND TEMPORARY CONSTRUCTION EASEMENTS

10-O-0220 (5) An Ordinance by Councilmember Howard Shook authorizing the purchase of Permanent and Temporary Construction Easements and the necessary rights-of-way from various property owners for the completion of the Wieuca Road Sidewalk Improvements Project; to authorize the Mayor, or his Designee, to negotiate with affected property owners and to use all means necessary to acquire necessary property interests up to and including condemnation proceedings, to authorize the City Attorney, or his Designee, to institute condemnation proceedings pursuant to the declaration of taking method authorized by O.C.G.A. Section 32-3-4; to authorize the City Attorney to use the services of Outside Counsel, where necessary, to handle condemnation proceedings; and for other purposes.

FAVORABLE

Councilmember Shook offered a motion to **Approve, 7 Yeas.**

Ms. Sandra Jennings: Acting Commissioner of the Department of Public Works addressed the Committee by stating that this is for a sidewalk project and these papers allow us to do that. The \$350,000 is from Transportation Impact Fees.

TO AMEND THE 2010 (GENERAL GOVERNMENT CAPITAL OUTLAY FUND) BUDGET

10-O-0221 (6) An Ordinance by Councilmember Howard Shook amending the 2010 (General Government Capital Outlay Fund) Budget in the Departments of Planning and Community Development and Public Works by transferring between Account the sum of three hundred thousand dollars and no cents (\$300,000.00) for the purpose of funding Sidewalk Improvements along Wieuca Road; and for other purposes.

FAVORABLE

Councilmember Shook offered a motion to **Approve, 7 Yeas.**

TO AMEND SECTION 114-125, NEW APPOINTMENTS AND STARTING RATES OF THE CODE OF ORDINANCES

10-O-0225 (7) An Ordinance by Councilmembers C.T. Martin and Keisha Lance Bottoms to amend Section 114-125, new appointments and starting rates of the Code of Ordinances; and for other purposes.

HELD

Councilmember Martin offered a motion to Approve. Councilmember Moore stated that Ms. Gina Pagnetta, President of PACE stated that she had some concerns. She then offered a Substitute motion to Hold. Acting Commissioner Dickerson asked if the paper could be moved Forward With No Recommendation. Councilmember Moore stated that she wants to know why two weeks will make a difference. The employee groups need the opportunity to look at it. This is a policy decision. We need to make sure that people are aware of it. Councilmember Willis asked what is the time frame of Holding it. Councilmember Moore stated that we want to hear their input. Ms. Pagnetta has stated that PACE Union have concerns. We need to hear from the employee union groups. Councilmember Willis stated that the union members have the opportunity to call us and express their opposition. He questions the interest on their part. He does not support the position to Hold. Councilmember Moore stated that she was given the message by her staff. She did try to call her on her cell phone. She cannot speak for someone else. Acting Commissioner Dickerson stated that she had a meeting scheduled with them, but they postponed it. It was scheduled by them. She does not know if they were going to speak to this. We would like to get on with the specific positions that are being held. One is in DIT. There are others for other Departments. Councilmember Martin stated that he wants to make a case. There is going to be dialogue on it. Acting Commissioner Dickerson responded that she provided a handout. It includes some of the legislation adopted over the years. Back in 2005, the City adopted a comprehensive philosophy. We wanted a competitive pay plan. In 2003, we established a Living Wage. It was based on the Urban Price Index. Most importantly we acquire our policies with fairness. In 2007, the City adopted a revision of the Code and provided some clarify of statutory rights. The Council established parameters on the Workforce level. In 2008, those Administrators were suspended by Council. Right now the Council has general authority over the classification schedule. This paper asks for the authority that was previously set by Council. Councilmember Martin stated that he talked about previous experience regarding keeping our checks and balances. We want to know what is going on in the employee recruitment environment. Acting

Commissioner Dickerson responded that the market level is starting at the midpoint. We allow Police Officers with experience and education the ability to be accredited for their experience and education. This paper allows for additional education and requirements for compensation. Councilmember Willis stated that is allocated for a number of positions. Are we creating new positions? Acting Commissioner Dickerson responded no, it is not new positions. Councilmember Willis asked if a Department brings in someone above entry, it reduces what Council has to do. Acting Commissioner Dickerson responded that on a weekly basis, it tells what the job is and the position being filled as well as the justification. Councilmember Willis asked if you and Mr. Aman would be the decision makers. Acting Commissioner Dickerson responded that Departments make a request and then the Department of Finance makes sure the money is there, then it comes to her Department. Mr. Aman and she will sit down with the Department for the justification. Councilmember Willis asked about the reporting process. Acting Commissioner Dickerson responded that we made the request to Council. Councilmember Willis asked for a report of the new hires. Acting Commissioner Dickerson responded that she would provide the information of any transactions. Councilmember Willis stated that the Police Department has had long standing issues with this. He asked her to take a look at it. Acting Commissioner Dickerson responded that we make sure that there is equity among peers in the Department. Councilmember Shook stated that he sat on the Compensation Committee and it was very transparent and open to the public. He is for Holding the paper because when we did it the last time it involved a whole lot of discussion. It makes him nervous because we may be losing people we need. When the case is made we end up giving it to them. Acting Commissioner Dickerson responded that there were a whole lot of changes made. Councilmember Watson stated that he supports the request, but he would like to hear from the employee organizations. Are you asking for the full range? Acting Commissioner Dickerson responded that up to the market is our discretion. Anything above would have to go to Mr. Aman. We want the full range without Council approval. Councilmember Watson asked if people will be hired at the top of the range. Acting Commissioner Dickerson responded that the biggest issue is going to be funding to be hired at the top of the range. Councilmember Moore stated that there has to be other circumstances. If we do a Pay and Class Study, it may make sense. She is not debating the merits of this. She has not heard why we can't have further discussions. We need to let the new Administration get their foot in the door first. We will continue to eat at the morale of the current employees.

Ms. Katrina Taylor Parks: of the Mayor's Office addressed the Committee by stating that Ms. Pagnetta had a scheduling conflict. The paper could be passed on Condition of meeting with PACE before the Full Council meeting. Councilmember Moore stated that she told her that she wanted Council to know the employees concerns. Ms. Parks stated that Ms. Pagnetta wants to meet with Council by Friday. The motion is to **Hold, 4 Yeas, 3 Nays**. Councilmember Moore added that she needs to meet with the Department of Human Resources again. Councilmember Willis added that we have to decide what direction we are going in. We need to figure out what our priorities are. We have to be candid. He has stated to the Unions and Employees what is the ability is to pay them. We can then be honest to ourselves and the citizens.

TO AMEND THE 2010 CITY OF ATLANTA, GEORGIA GENERAL ASSEMBLY LEGISLATIVE PACKAGE

10-R-0136 (1) A Resolution by Councilmembers Michael Julian Bond, H. Lamar Willis, Kwanza Hall, Ivory Lee Young, Jr., and Aaron Watson **as Substituted by Full Council** amending the 2010 City of Atlanta, Georgia General Assembly Legislative Package so as to express the City of Atlanta's support for a Municipal Option Sales Tax ("MOST") for the creation of a Public Safety Improvement Fund; and for other purposes. **(Referred back to Finance/ Executive Committee by Full Council, 1/19/10)**

FILE

Councilmember Martin offered a motion to **File, 6 Yeas.**

TO ENTER INTO A CONTRACTUAL AGREEMENT WITH LAZ PARKING OF GEORGIA, LLC

10-R-0168 (2) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Contractual Agreement with LAZ Parking of Georgia, LLC, on behalf of the Department of Planning and Community Development, Bureau of Code Compliance, for the lease of thirty-five (35) parking spaces for its fleet vehicles at 211 Trinity Avenue in an amount not to exceed thirty three thousand dollars and no cents (\$33,000.00); all contracted services shall be charged to and paid from Fund Department Organization and Account Numbers: 1001 (General Fund) 250302 (Department) 5223103 (Account) 1511000 (Function Activity); and for other purposes. **(Finance/Executive Committee Substitute corrects the FDOA and the lease; Finance/Executive Conditional Passage requests the investigation of available space and the Parking Survey, 1/27/10)**

FAVORABLE ON CONDITION

Mr. Stokes stated that we have a Substitute. Councilmember Willis asked where is it located? Why can't they fit them in the parking deck across the street?

Mr. Peter Andrews: Senior Assistant City Attorney addressed the Committee by stating that they need a secure lot. The parking lot across the street is from the Downtown Parking Authority and Bonds were associated with its purchase. We are already at that capacity. Councilmember Moore asked why not use our own City facilities. Why we couldn't enter into an Agreement with ADA. Senior Assistant City Attorney Andrews responded that it would take spaces from other employees. We would have to section off an area and we would lose access for the general public. Each Department has some allocation. Code Enforcement has no allocation. If employees are parking there and the City is not paying, they are using general public spaces. Councilmember Moore asked about the Special Procurement provisions. The Substitute adds the correct Account Numbers and the form of the lease. Councilmember Shook asked if we could send it Forward on Condition. Councilmember Moore stated that she wants to understand the retroactivity of last year, the use of the Special Procurement. There should be a written accommodation. There should be competitive procurement. She wants to also see the investigation of available space and the Parking Survey. Senior Assistant City Attorney Andrews responded that the Determination Letter is in the legislation. Councilmember Shook offered a motion to **Approve on Substitute on Condition, 7 Yeas.**

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

10-R-0169 (3) A **Substitute** Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1601 et. seq. of the City of Atlanta Code of Ordinances, utilizing GSA Contract GS-35F-0195J with CDW Government for a lease of 473 desktop computers and 50 notebook computers for three years to replace obsolete computers with the most current and reliable hardware technology on behalf of the Department of Information Technology, in an amount not to exceed five hundred ninety-nine thousand, eight hundred twenty-six dollars and sixty-two cents (\$599,826.62); all costs to be financed through CSI Leasing, Inc., subject to separate Council authorization; and for other purposes.

**(Finance/Executive Committee Substitute corrects the
FDOA, 1/27/10)**

FAVORABLE ON SUBSTITUTE

Mr. Stokes stated that there is a Substitute.

Mr. Dan Smith: Chief of the Department of Information Technology addressed the Committee by stating that this paper establishes the funding source. It is a GSA contract. We desperately need the PCs. Councilmember Martin offered a motion to **Approve on Substitute, 6 Yeas, 1 Nay.** Councilmember Willis asked if we are spending \$600,000 to lease. Mr. Smith responded, yes. Councilmember Willis asked for the rationale of leasing. Mr. Smith responded that it is cheaper and after two years it will have lived its life. Leasing is more costly. We should get competitive pricing. Mr. Smith responded that this is a cooperative competitive lease. Councilmember Willis stated that we could have computers that could outlive the lease. Councilmember Moore stated that the City is moving from Dell to IBM. We need to get an Information Technology policy. We need to know the direction we are moving in. Everybody needs to buy the same thing.

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

10-R-0170 (4) A Resolution by Finance/Executive Committee authorizing the Mayor or his Designee to enter into a Cooperative Purchasing Agreement pursuant to Section 2-1608 et. seq. of the City of Atlanta Code of Ordinances, utilizing GSA Contract GS-35F-0195J with CDW Government for a lease of 473 desktop computers and 50 notebook computers for three years to replace obsolete computers with the most current and reliable hardware technology on behalf of the Department of Information Technology, in an amount not to exceed five hundred ninety-nine thousand, eight hundred twenty-six dollars and sixty-two cents (\$599,826.62); all costs to be financed through CSI Leasing, Inc., subject to separate Council authorization; and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas, 1 Abstention.**

TO ENTER INTO AN AGREEMENT WITH ORACLE USA, INC.

10-R-0171 (5) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into an Agreement with Oracle USA, Inc., utilizing Federal GSA Contract GS-35F-0009T for Software Update License & Support Services on behalf of the Department of Watershed Management, Bureau of Drinking Water, in an amount not to exceed eighty-seven thousand six hundred twenty-six dollars and sixty-one cents (\$87,626.61); all contracted work will be charged to and paid from Fund, Department Organization and Account Number 5051 (Water & Wastewater Revenue Fund), 5213001 (Consulting/ Professional Services Technical, 170113 (DWM Watershed Information Systems), 1535000 (Data Processing Management Information Systems); and for other purposes.

FAVORABLE

Councilmember Martin offered a motion to **Approve, 6 Yeas, 1 Nay.**

TO ENTER INTO A COOPERATIVE PURCHASING AGREEMENT

- 10-R-0172 (6) A Resolution by Finance/Executive Committee authorizing the Mayor to enter into a Cooperative Purchasing Agreement pursuant to §2-1606 of the City of Atlanta Code of Ordinances, with IBM Corporation, Inc. in an amount not to exceed \$153,217.67 over a three year period; to be charged to and paid from FDOA 5501 (Airport Revenue Fund), Department 180107 (Department of Aviation, Aviation Information Services), Expenditure 5213001 (Consultant Professional Services) Technical, Functional Activity 7563000 (Airport) (\$106,928.34) 0000 (Default) 00000000 (Default) 00000000 (Default) and from Fund 5502 (Airport Renewal and Extension Fund), Department 180107 (Department of Aviation, Aviation Information Services), Expenditure 5213001 (Consultant Professional Services) Technical Functional Activity 7563000 (Airport) (\$46,289.33) 0000 (Default) 00000000 (Default) 00000000 (Default); and for other purposes).

HELD

TO AMEND THE 2010 CITY OF ATLANTA, GEORGIA GENERAL ASSEMBLY LEGISLATIVE PACKAGE

- 10-R-0218 (7) A Resolution by Councilmembers Michael Julian Bond, Ivory Lee Jr., Aaron Watson and H. Lamar Willis **as Substituted by Finance/Executive Committee (1), 1/27/10** amending the 2010 City of Atlanta Georgia General Assembly Legislative Package so as to express the City of Atlanta's support for a Municipal Option Sales Tax ("MOST") for the creation of both a Public Safety Improvement Fund and a Public Infrastructure Fund; and for other purposes. **(Finance/Executive Committee Substitute corrects language in the legislation; Finance/Executive Conditional Passage of receiving a Substitute by Monday, 1/27/10)**

FAVORABLE ON CONDITION

Councilmember Bond stated that based on conversations there were concerns for our infrastructure needs. The public feels strongly about public safety. He and Mr. Aman have worked out a Substitute. He read the corrected Whereas Clauses. Councilmember Shook asked if we would have to receive this on Condition of receiving a Substitute because of the blanks on page two by Monday. Councilmember Watson offered a motion to **Approve on Condition, 7 Yeas**. Councilmember Bond stated that there was money received by GDOT and he read the list. He will have the Condition ready on Monday. Chairperson Adrean stated that Mitchell Street received some stimulus money. It was cut back by \$15 million dollars.

TO ISSUE A NOTICE TO PROCEED WITH ARCADIS/BRINDLEY PIETERS & ASSOCIATES

- 10-R-0222 (8) A Resolution by Councilmember Howard Shook authorizing the Mayor to issue a **Notice To Proceed** with Arcadis/Brindley Pieters & Associates, a Joint Venture for FC-4906A, Annual Contract for Architectural, Engineering and Design Services, for additional Right of Way Services for the Wieuca Road Improvements Project, and for additional Construction Administration Services for the Lakewood Heights Town Center Project on behalf of the Department of Public Works, in an amount not to exceed one hundred fifty two thousand three

hundred eighty two dollars and twenty one cents (\$152,182.21); with all contracted work to be charged to and paid from the following Fund, Department and Account Numbers 3502 (General Government Capital Outlay Fund) 3138 (2008 Quality of Life Improvements Bond) 130308 (DPW Transportation Design) 5410001 (Consulting/Professional Services/Capital Projects 5411002 (Easements) 101639 (Wieuca Road Sidewalk) 102552 (Lakewood Heights Town Center) 4270000 (Traffic Engineering); and PTAEF Funding Numbers 13101639 101 350291105 5410001/5411002 COA; 13102552 102 313821776 5410001 COA; and for other purposes.

FAVORABLE

Councilmember Shook offered a motion to **Approve, 7 Yeas.**

TO SUBMIT A PERFORMANCE AUDIT REPORT FOR INDIRECT COST ALLOCATION

10-C-0054 (1) A Communication by City Auditor Leslie Ward submitting a Performance Audit Report for Indirect Cost Allocation. **(Held, 1/13/10)**

HELD

TO SUBMIT THE CITY OF ATLANTA RETIREMENT REVIEW – PHASES II & III PLAN DESIGN AND FINANCIAL IMPACT REPORT

10-C-0056 (2) A Communication by Mayor Shirley Franklin submitting the City of Atlanta Retirement Review – Phases II & III Plan Design and Financial Impact Report. **(Held, 1/13/10)**

HELD

Councilmember Moore stated that the Administration spent \$100,000 to Consultants for a study of the Pensions. She requests to use the background information. Chairperson Adrean asked how long would the presentation take. Acting CFO Council responded that it took about 1 ½ hours. Chairperson Adrean stated that we would schedule a Work Session.

ITEMS NOT ON AGENDA

TO ADOPT AND APPROVE A SUPPLEMENT TO THE CITY OF ATLANTA'S INTEREST RATE MANAGEMENT PLAN

10-R-0228 (1) Resolution by Finance/Executive Committee adopting and approving a Supplement to the City of Atlanta's Interest Rate Management Plan; and for other purposes.

FAVORABLE

Senior Assistant Attorney Andrews stated that this allows us to move the SWAP of outstanding Bonds. We need to pass this one to move the other one. Councilmember Watson offered a motion to **Approve, 7 Yeas.**

TO SUBMIT THE TWELFTH SUPPLEMENT BOND ORDINANCE

10-O-0229 (2) An Ordinance by Finance/Executive Committee submitting the Twelfth Supplemental Bond Ordinance to ratify, reaffirm, supplement that certain Master Bond Ordinance adopted on March 31, 1999, as supplemented and amended by that certain

First Supplement Bond Ordinance adopted on March 5, 2001, that certain Series 2001 Bond Ordinance adopted on December 5, 2001, that certain Series 2004 Bond Ordinance adopted on August 16, 2004, as supplemented by that certain Supplemental Series 2004 Bond Ordinance adopted on September 15, 2004, that certain Fifth Supplemental Bond Ordinance adopted on November 19, 2007, that certain Series 2008 Bond Ordinance adopted on March 17, 2008, that certain Seventh Supplemental Bond Ordinance adopted on October 6, 2008, that certain Series 2009 Bond Ordinance adopted on May 4, 2009, as supplemented by that certain Supplemental Series 2009 Bond Ordinance adopted on June 17, 2009, and that certain Series 2009B Bond Ordinance adopted on October 5, 2009, as Supplemented by that certain Supplemental Series 2009B Bond Ordinance adopted on October 14, 2009; to authorize the execution and delivery by the City of Atlanta of Amendments to an Interest Rate Swap Agreement that hedged a portion of the City's Water and Wastewater Revenue Bonds; and for other purposes.

FAVORABLE ON FIRST READ

Councilmember Watson offered a motion to **Approve on First Read, 7 Yeas.**

Deacon Casey Cameron: addressed the Committee by stating that there was a paper to approve sidewalks, but it has not been done. It is not fair to the taxpayers to not receive something that was voted on. You are doing things backward.

ADJOURNMENT

Having no further business before the Committee, the meeting was adjourned at 5:20 p.m.

Respectfully submitted,

Roosevelt Council, Acting CFO

Charlene Parker
Recording Secretary

“The Department of Finance... because customer service is important to us.”